

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

THE UNITED STATES for the use of)
GMW Fire Protection, Inc., an Alaska)
Corporation,)

Plaintiff,)

vs.)

KANAG'IQ CONSTRUCTION CO.,)
INC., an Alaska Corporation, and)
WESTERN SURETY COMPANY, a)
South Dakota Corporation,)

Defendants.) Case No. A05-170 CI (TMB)

AFFIDAVIT OF COUNSEL

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

Laura S. Gould, being first duly sworn, deposes and states:

1. I am an attorney for Defendants, Kanag'Iq Construction Co., Inc. and Western Surety Company in the above action.

2. Shortened time is needed for consideration of Defendants' Motion for Stay of Execution of Judgment because of Defendants' Motion to Alter or Amend a Judgment [Re: Motion at Docket No. 131] and Defendants' Motion to Alter or Amend a Judgment [Re: Plaintiff's Motion for Attorney's Fees at Docket 125].

3. Because Defendants' pending motions may affect the judgment against Western Surety and/or Kanag'Iq, it is necessary that the Court rule on the Motion for Stay of Execution of Judgment before Plaintiff proceeds to execute on the current judgment.

4. This office made a telephone call to Ms. Tugman on Thursday, July 3, 2008, and left a message asking her to call this office regarding this matter. Ms. Tugman did not respond.

5. This office made a second telephone call to Ms. Tugman on July 7, 2008, to request a stay of any execution of the judgment until this Court has ruled on Defendants' pending motions. Ms. Tugman refused to stay any execution of the judgment absent an order from the Court.

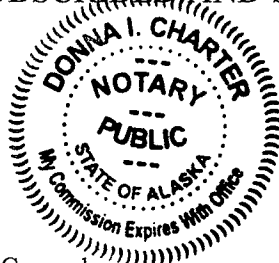
6. To the extent the judgment may change depending on the outcome of the pending motions before the Court, a stay of execution is necessary to protect our clients' interests.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED at Anchorage, Alaska this 7th day of July, 2008.

By: Laura S. Gould
Laura S. Gould
Alaska Bar No. 0310042

SUBSCRIBED AND SWORN to before me this 7th day of July, 2008.



Donna I. Charter
Notary Public in and for the State of Alaska
My Commission Expires: October 15, 2011

CERTIFICATE OF SERVICE

I am a legal secretary employed by the law firm of Eide & Gingras, P.C. That on this 7th day of July, 2008, I served

☒ Electronically

a true and accurate copy of the foregoing document upon the following counsel of record:

Sarah J. Tugman, Esq.
2509 Eide Street, Suite 4
Anchorage, AK 99503

EIDE & GINGRAS, P.C.

By /s/Donna Charter

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